

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

IN THE MATTER OF THE APPLICATION  
OF THE UNITED STATES OF AMERICA  
FOR A SEARCH WARRANT FOR  
63 Q STREET, S.W.,  
WASHINGTON, DC

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11-330-M-01

~~Under Seal~~

**AFFIDAVIT IN SUPPORT OF SEARCH WARRANT**

Daniel Vizzi, Deputy with the United States Marshals Service (USMS), for the District of Columbia (D/DC), Washington, D.C., (hereinafter the "affiant") being duly sworn, deposes and states as follows:

**GENERAL BACKGROUND**

1. I am an "investigative or law enforcement officer of the United States" within the meaning of Section 2510 (7) of Title 18, United States Code, that is, an officer of the United States who is empowered by law to investigate and to make arrests for offenses enumerated in Section 2516 of Title 18 and 21, United States Code.

2. I am a duly appointed Deputy of the USMS and have been employed as such for approximately four years. I have received approximately 18 weeks of training at the Federal Law Enforcement Training Center (FLETC). I am currently a task force officer with the Federal Bureau of Investigations (FBI). I have been in my current position since September 2010. The squad I am assigned to investigates Violent Crimes out of the FBI's Violent Crimes Task Force of the Washington, D.C. Field Office of the FBI. Prior to being appointed to the USMS, I was a college student at John Jay College of Criminal Justice in New York City. During the course of my participation in the investigations of violent crimes, through my employment with the USMS and FBI, I

have gained knowledge in the use of various investigative techniques including the utilization of physical surveillance, undercover agents, confidential informants and cooperating witnesses, and investigative interviews. The investigations I have conducted have been directed towards threats, bank robberies, armored car robberies, and carjacking investigations. I have served Administrative and Grand Jury Subpoenas, as well as, analyzed telephone pen register and caller identification system data, and the execution of search and arrest warrants. Through instruction and participation in investigations, I have become familiar with the manner in which criminal offenders conduct their illegal business and the methods, language, and terms that are used to disguise conversations about their activities.

3. Based on my experience and training, I am aware that:

a. Those involved in criminal activities commonly maintain at their residences, and on their property, tools and other implements they used during or in furtherance of the commission of crime.

b. Those involved in criminal activities commonly maintain at their residences, and on their property, books, records, receipts, computer diskettes, computers, notes, ledgers, airline tickets, money orders, and other papers and electronic records relating to their criminal activities.

c. Those involved in criminal activities commonly maintain books, papers, documents, and electronic records in secure locations within their residences and their property, so they can have ready access to such information.

d. Those involved in criminal activities attempt to legitimize the proceeds from their criminal activities. They often accomplish this by using the services

of foreign and domestic banks and various financial institutions, and real estate brokers. Books and papers relating to such efforts, including but not limited to, cashier checks, money orders, telegrams, letters of credit and ledgers, are maintained in the residences and on the property of those involved in criminal activities.

e. Those involved in criminal activities take, or cause to be taken, photographs of themselves, their associates, property derived from their criminal activities, and their products, including with cellular telephones, and that such photographs are often kept in their residences or stored in electronic format on computers and computer thumb drives.

f. Those involved in criminal activities very often place assets, including real and personal property, such as vehicles, in names other than their own to avoid the detection and forfeiture of such assets by government agencies and continue to use these assets and to exercise dominion and control over them even though the assets are normally owned by them.

g. Those involved in criminal activities usually have in their possession weapons. These weapons often consist of knives, guns, rifles, pistols, revolvers, shotguns, assault-type weapons, and other firearms as well as ammunition for any handgun, shotgun, and/or rifles. They possess these items for protection against robbery and also for use during and in furtherance of the commission of criminal offenses.

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3. This affidavit is based, in part, upon information provided to me by Special Agents with the FBI, Probation Officers with the United States Probation Office in Washington, D.C., officers with the Metropolitan Police Department (MPD),

witnesses, physical surveillance, and other information gathered during the course of this investigation. Since this affidavit is being submitted for the limited purpose of obtaining search warrants for one location, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts which I believe are necessary to establish probable cause for the issuance of this search warrant.

4. As a result of my personal participation in this investigation, as well as through interviews with and analysis of reports submitted by other Special Agents of the FBI and officers of the MPD law enforcement agencies who are involved in this investigation, I am familiar with all aspects of this investigation. On the basis of this familiarity, and on the basis of other information which I have reviewed and determined to be reliable, I allege the facts to show there is probable cause to believe that fruits and evidence of offense involving bank robbery, in violation of Title 18, United States Code, § 2113; will be found at 63 Q Street S.W. Washington, D.C.

5. Attachment A describes location to be searched. Attachment B describes the matters and things to be seized at that location. All statements made in Attachments A and B are adopted into the body of this Affidavit as if fully set forth herein.

## **THE INVESTIGATION**

6. On May 02, 2011 at approximately 9:30 a.m., an unidentified male subject (UNSUB) entered the TD Bank located at 901 7<sup>th</sup> Street N.W. Washington D.C. TD Bank is insured by the Federal Deposit Insurance Corporation. The UNSUB approached the teller counter and pointed an item that looked like a gun at the teller. (Later investigation revealed that the suspected gun was, in fact, a Ramset nail gun. Ramset nail guns are designed to expel nails at a high rate of speed, and are generally used in construction.) The teller thought the nail gun was a real gun, and backed away from the counter, and stated "you can have whatever you want." The UNSUB jumped over the teller counter and instructed the victim teller and another TD Bank employee to get on the ground. They complied and laid face down on the floor. The UNSUB then removed all the money from the top teller drawer, and exited the bank on foot, with approximately \$2,850. Included with the \$2,850 was a dye pack. The UNSUB left the Ramset nail gun behind.

7. Further investigation revealed that the UNSUB was a white or Hispanic male with a moustache and goatee, wearing a dark hat, sunglasses, white sneakers with a dark strip located on the side of the sneakers, a dark jacket, dark pants, and an item of clothing with a tan or white hood (either a sweatshirt or as part of the jacket),

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8. TD Bank is equipped with video surveillance cameras. Law enforcement obtained copies of the bank video surveillance and printed still photographs from the surveillance video. A local newspaper published several of these surveillance

photographs and asked anyone who recognized the UNSUB to contact law enforcement. Upon seeing these photographs, a citizen (CI1) recognized the UNSUB as James Curcio. CI1 showed the newspaper to another individual (CI2) who also knows James Curcio. CI2 also reviewed the newspaper surveillance photographs, and agreed that the UNSUB was in fact James Curcio. CI1 has known James Curcio for several months. CI2 has known James Curcio for approximately two years. CI2 contacted the FBI Washington Field Office with this information.

9. Further investigation revealed that the individual identified by CI1 and CI2 was James Christopher Curcio, DOB: 3/1/69. From approximately 2007 to 2009, Curcio was on supervised release in the District of Columbia for an offense committed in the Eastern District of Virginia. Law enforcement interviewed Curcio's former probation officer. The probation officer was not provided with any information about the suspect, and was merely shown the bank surveillance photographs. Upon viewing the bank surveillance photographs, the former probation officer identified the UNSUB as an individual the probation officer had supervised in the past. The probation officer was unable to recall the UNSUB's name, but he did state that he supervised the UNSUB for the Eastern District of Virginia, and recalled other information about the UNSUB's period of supervision. At the end of the interview, law enforcement showed the former probation officer two known photographs of James Christopher Curcio, and asked the probation officer if he recognized the photographs. The probation officer stated that the person in the known photographs was the person he had previously supervised from the Eastern District of Virginia, and was the person he recognized in the bank surveillance photographs.

10. Further investigation revealed that Curcio was previously employed as a maintenance worker, with access to construction tools and power tools.


11. Further investigation revealed that Curcio has lived at 63 Q Street, SW, Washington, D.C., since September of 2009, and is still living at that address.

**CONCLUSION**

12. Based upon these facts, there is probable cause to believe that are fruits and evidence, as further described in Attachment B, of: (i) bank robbery while armed, in violation of Title 18, United States Code, § 2113(a) and (d); will be found in 63 Q Street, SW, Washington, D.C., as further described in Attachment A.

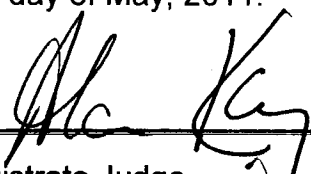
13. Wherefore, pursuant to Rule 41 of the Federal Rules of Criminal Procedure, I respectfully request a warrant to search 63 Q Street, SW, Washington, D.C.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

  
Deputy Daniel Vizzi  
United States Marshals Service  
FBI Task Force Officer

**MAY 18 2011**

Sworn and subscribed to before me this \_\_\_\_ day of May, 2011.

  
Magistrate Judge  
United States District Court  
for the District of Columbia

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Attachment A

The property to be searched is described as a red brick apartment building with a white door, with the number 63 clearly visible by the entrance on the mailbox. Upon entering through the white door, there are two other doors, leading to two separate apartments. 63 Q Street, SW, Washington, DC, is the apartment to the left as you enter the lobby. (The other apartment is numbered 63 ½.)



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ATTACHMENT B

Evidence, fruits and instrumentalities of the commission of a criminal offense to be seized, as set forth in the affidavit, to include:

1. Articles of clothing that match the description of the clothing worn during the robbery, including but not limited to:
  - a. dark jacket
  - b. sweatshirt or other item of hooded clothing
  - c. black baseball hat
  - d. dark colored sunglasses
  - e. any items of clothing that appear to have red dye on them
  - f. dark colored pants.
  - g. dark colored duffel bag or backpack.
  - h. white shoes with dark colored strip.
2. Power tools and nail guns, and items associated with nail guns, including nails, evidence of ownership, pawn receipts.
3. Maps and or items depicting the locations of driving and escape routes in relationship to the bank robbery.
4. Bank brochures.
5. Money bags.
6. Evidence of recent purchases and payments that may also coincide with the dates of the bank robberies, including but not limited to receipts, payment stubs, invoices and money orders.
7. Photographs depicting associates, property and illegal contraband
8. Any United States currency in denominations of 100's, 50's, 20's, 10's, 5's, 1's and or appearing to be new or stolen from any of the bank robberies.
9. Any United States currency covered in red dye
10. Any dye packs
11. Photographs of banks and or proceeds from the bank robberies
12. Bank and financial statements

13. Indicia of occupancy, residency, rental and/or ownership of the premises described herein, including, but not limited to, utility and telephone bills, cancelled envelopes, rental, purchases or lease agreements, and keys;
14. Proceeds, including United States currency, precious metals, jewelry, and other financial instruments;
15. Money wrappers, straps, bands
16. Deposit slips
17. ATM envelopes or other bank related forms
18. Evidence of use of storage facilities or bank safe deposit boxes
19. Calendars, diaries, or other documents used to record schedules, meetings, conversations, or other events related to plans for this robbery
20. GPS devices
21. Evidence of automobile ownership
22. Cellular telephones, pagers, and the contents thereof, and records and receipts reflecting their ownership and use;
23. Telephone records, including toll records, receipts, bill's service data, telex activity, facsimile activity, and other related records;
24. Photographs, including still photos, negatives, video tapes, films, undeveloped film and the contents therein, in particular photographs of co-conspirators, assets, U.S. currency, and offense locations;
25. Address and/or telephone books, reflecting names, addresses, telephone numbers, pager numbers, fax numbers and/or telex numbers, including computerized or electronic address and telephone records;
26. Guns, rifles, pistols, revolvers, shotguns, assault-type weapons, pellet guns, and other firearms as well as ammunition for any firearm, and any imitation firearms
27. Any locked or closed containers including but not limited to safes, both combination and lock type, and their contents, which could include any of the above listed evidence.